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October 5, 2009

Mr. Bill Wiley, A.I.C.P., Director  
Community Development Department  
City of Leesburg  
Post Office Box 490630  
Leesburg, Florida 34749

RE: Secret Promise Development of Regional Impact (DRI) Draft Development Order (DO), Comments

Dear Mr. Wiley:

Thank you for the opportunity to provide comments on the Secret Promise DRI Draft DO. The City is scheduled to adopt the Draft DO and associated Large Scale Comprehensive Plan Amendment October 12, 2009, at the Leesburg City Council meeting. The District has been working at the staff level for several years to address school issues associated with Secret Promise DRI. However, the District has not begun negotiations with the developer to secure a school site or signed an agreement to address school impacts. Therefore, based on the most recent information provided by the City on October 1, 2009, we have the following comments on the "T. Schools" section of the Draft DO.

The District believes the Draft DO does not fulfill the applicant's obligation as required under Chapter 380.06(15)(d), Florida Statutes. According to Chapter 380.06(15)(d)1., F.S., states that "the need to construct new facilities or add to the present system of public facilities must be reasonably attributable to the proposed development." Chapter 380.06(15)(d)2., F.S., requires that "any contribution of funds, land, or public facilities required from the developer shall be comparable to the amount of funds, land, or public facilities that the state or local government would reasonably expect to expend or provide, based on projected costs of comparable projects, to mitigate the impacts reasonably attributable to the proposed development." Chapter 380.06(15)(d)3., F.S., states that "any funds or lands contributed must be expressly designated and used to mitigate impacts reasonably attributable to the proposed development." Although the applicant indicates a 20-acre site will be donated for a future school, the District does not believe this proposal addresses all impacts at the elementary and middle school levels.

Another concern of the District is that public facilities be adequate and available to serve a school at the time a school opens for students. According to Chapter 380.06(15)(e)2., F.S., if a DRI does not make adequate provision for the public facilities needed to accommodate the school, the City must ensure that facilities and services are provided to the site. How will the developer and/or City provide facilities to the school site at the time the school will open? (The District has included \$2 million in planning funds in 2014 for Elementary "N," which is to serve the Leesburg area with an estimated capacity of 940. Public facilities would be required in 2014-2015 concurrent with the construction of this school.)

If you have any questions, please contact me at (352) 253-6694, or at [mcdonald@lake.k12.fl.us](mailto:mcdonald@lake.k12.fl.us).

Sincerely,

Dawn McDonald, Senior Planner  
Growth Planning Department